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Jeffrey C. Raber, Ph.D., President

December 23, 2013

Nevada Division of Public and Behavioral Health
ATTN: Marla McDade-Williams and Joseph Thiele
Medical Marijuana Division
4150 Technology Way, Suite 104
Carson City, NV 89706

Re: Public Comment Regarding Proposed Amendments of Chapter 453A of the NAC

Dear Ms. Williams and Mr. Thiele:

I would first like to commend you on your efforts thus far in creating what will most certainly be an excellent medical cannabis regulatory framework. Continuing on this path I feel very confident you will establish what will be seen as a model system for states across the US!

As most other points have been addressed in prior discussions or by others making comment, I will be brief here and only highlight two key issues.

First our concern pertains to the residual solvent limits of 500ppm, in that they are simply too lax and will not serve to protect patients effectively. It is quite simple to achieve product preparations that achieve limits well below this level and we are currently aware of products that can see less than 1ppm. As some patients may need to inhale many hundreds of milligrams of these products in a day, it is best to keep the solvent levels down so that they are not unnecessarily irritated or exposed to these types of chemicals. Inhalation risks are typically considered an order of magnitude greater than oral exposures. Thus, as some similar solvents have limits of hundreds of ppm in USP settings for oral exposures, it would make sense to reduce the limits to tens of ppm in this medical sense. Therefore we propose the regulations be amended to reduce residual solvent limits to 50ppm to best protect public health and safety.

Second our concern is with the limitations currently being placed on what functions and roles a laboratory may perform. There is no reason a testing laboratory should also not be allowed to hold licenses for processing or cultivation efforts as there is a unique amount of scientific expertise often possessed by these laboratory companies. This expertise should be allowed to be exploited for the benefits of all patients and not be limited to only a testing aspect. Certainly there are many modes of operation that would allow a laboratory that both tests and processes to retain independent status and still service multiple licensees with respects to independent oversight. This is common place in the pharmaceutical and fine chemical industries with contract manufacturing organizations, within liquor as custom-crush and bottling operations, and within the automotive industry in terms of chrome plating. Unique expertise and intellectual property positions in each of those examples allows for those independent contractual operations to thrive. The same can exist within a medical cannabis construct and regulations should encourage these types of expert cross-fertilizations as opposed to flat-out restricting them. Therefore we ask that the regulations be amended to allow laboratory organizations to also seek processing and cultivation licenses.

Sincerely,

Jeffrey C. Raber, Ph.D.
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